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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 3627

Patent Application of

Dean G. Rosenberg, et al.

Application No. 10/045,482

Confirmation No.: 9727

Filed: October 22, 2001

Examiner: Zeender, Florian M.

"DISPENSER INVENTORY MONITORING
SYSTEM AND METHOD"

I, Holly Rhodes, hereby certify that this correspondence is being deposited with the US Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Holly Rhodes
Signature

12/13/04
Date of Signature

RESPONSE TO EXAMINER'S OFFICE COMMUNICATION OF November 23, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the Examiner's November 23, 2004 Office Communication, and the telephone conference with Examiner Zeender on December 7, 2004, it appears that the second page of Applicants' August 16, 2004, Response was misplaced by the Office or the contractor charged with scanning in the Response. Therefore, in his November 23, 2004 Office Communication, Examiner Zeender gave Applicants one month to refile the full Response. The entire copy of the response filed on August 16, 2004 is enclosed for Examiner to review.

No fee is required for this communication.

Respectfully submitted,

Thomas S. Reynolds II

Thomas S. Reynolds II
Reg. No. 45,262

File No. 088256-9025-00

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Appl. No. : 10/045,482
Confirmation No. : 9727
Applicant : Dean G. Rosenberg, et al.

Filed : October 22, 2001
Title : DISPENSER INVENTORY
MONITORING SYSTEM AND
METHOD

TC/A.U. : 3627
Examiner : ZEENDER, FLORIAN M

Docket No. : 088256-9025-00

I, Tijuana M. Jackson, hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date of my signature.

Tijuana M. Jackson
Signature

8-16-2004
Date of Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

In response to the Office action of June 17, 2004, please amend the above-identified application as follows:

REMARKS

The Examiner has restricted this application to one of two sets of claims relating to dispenser inventory monitoring system, Group I (claims 1-12) and Group II (claims 13-24). The Applicant notes that each of the claims of the present invention is generally directed to a dispenser inventory monitoring system and method.

There are two criteria for a proper requirement for restriction: (1) the inventions must be independent and distinct as claimed; and (2) there must be a serious burden on the Examiner if restriction is not required (MPEP §803). The Applicant contends that the Examiner has improperly required restriction of the application and respectively traverses the restriction requirement because there is no serious burden on the Examiner if restriction is not required.